

Notice of Allowability

Application No.

10/661,376

Examiner

Vineeta S. Panwalkar

Applicant(s)

HAKASALO ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 11/13/07.
2. ☒ The allowed claim(s) is/are 1 and 4-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)✓
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413)✓
Paper No./Mail Date 12-2-07
7. ☒ Examiner's Amendment/Comment✓
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Tesfaldet Bocure
Primary Examiner
Art Unit 2611

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 8 of remarks, filed 11/13/07, with respect to amended claims 1, 8, 10 and 17 have been fully considered and are persuasive. The rejection of claims 1 and 4-17 has been withdrawn.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Authorization for this examiner's amendment was given in a telephone interview with Mr. Keith Obert (Reg. No. 58,051) on 12/7/07.

The application has been amended as follows:

In the claims:

In claim 4, in line one, "according to claim 3" should be replaced by - - -
according to claim 1 - - -.

Allowable Subject Matter

3. Claims 1 and 4-17 are allowed.

The following is an examiner's statement of reasons for allowance:

- 3a. Regarding claims 1, 8, 10 and 17, prior art of record fails to disclose method or apparatus for synchronizing wherein code phase of available code used for

proceeding synchronization after a measurement related interrupt is shifted by an amount corresponding to the time elapsed between the time of reception of the last code sample before said measurement related interrupt and the time of reception of the new code sample after said measurement related interrupt, in combination with each and every other limitation of the claims.

- 3b. Claims 4-7, 9 and 11-16 are allowed as being dependent on claims 1, 8 and 10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Hartmann (US 4553251) shows synchronizing, wherein clock rate is phase shifted when reception is interrupted.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vineeta S. Panwalkar whose telephone number is 571-272-8561. The examiner can normally be reached on M-F 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VP

Tesfaldet Bocure
Primary Examiner
Art Unit 2611

